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ATLANTIC MUTUAL INSURANCE COMPANY

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

E-FILED - 12/7/06

ROBERTO RUIZ,
Plaintiff,
vs.
ATLANTIC MUTUAL INSURANCE
COMPANY, a New York corporation,
Defendant.

CASE NO.: 5:06-CV-04534 RMW

**STIPULATED REQUEST FOR ORDER
CHANGING TIME RE BRIEFING
SCHEDULE AND UNDISPUTED FACTS
ON MOTION FOR SUMMARY
JUDGMENT; [PROPOSED] ORDER**

[LR 6-2; 56-2]

STIPULATION

This Stipulation is submitted pursuant to Local Rule 6-2 and the Court's comments at the Initial Case Management Conference held October 27, 2006. This Stipulation changes the Minute Order filed October 27, 2006 (Dkt #10). The parties hereby stipulate that the briefing schedule for the filing of the Motion for Summary Judgment be:

1. Plaintiff's motion due January 5, 2007;
2. Defendant's opposition due January 19, 2007;
3. Plaintiff's reply due January 26, 2007;
4. Defendant's sur-reply due February 2, 2007; and
5. Hearing date February 16, 2007 at 9:00 a.m.

This stipulation may be executed in counter part.

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Pursuant to Local Rule 56-2, the parties further request that the Court permit the parties to submit a joint statement of undisputed facts on or before January 5, 2007.

There have been no previous time modifications in this case, and the requested modifications would have no effect on the schedule of the case.

DATED: November 22, 2006



STEVEN R. CAVALLI, ESQ.
Attorneys for Plaintiff,
ROBERTO RUIZ

DATED: November 20, 2006



MARK E. INBODY, ESQ.
Attorneys for Defendant,
ATLANTIC MUTUAL INSURANCE
COMPANY

Based on the foregoing stipulation, the Court hereby enters the following **ORDER**:

1. The briefing schedule for the Motion for Summary Judgment shall be:

1. Plaintiff's motion due January 5, 2007;
2. Defendant's opposition due January 19, 2007;
3. Plaintiff's reply due January 26, 2007;
4. Defendant's sur-reply due February 2, 2007; and
5. Hearing date February 16, 2007 at 9:00 a.m.

2. The parties are to submit a joint statement of undisputed facts on or before January 5, 2007.

December

PURSUANT TO STIPULATION, IT IS SO ORDERED this 7 day of ~~November~~ November, 2006.

/s/ Ronald M. Whyte
DISTRICT COURT JUDGE

Doc. #35236

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-FILED

CIVIL MINUTES

DATE: October 27, 2006

Case No. C-06-04534-RMW

JUDGE: Ronald M. Whyte

ROBERTO RUIZ

-v- ATLANTIC MUTUAL INSURANCE CO.

Title

S. Brewer via Telephone

Mark Inbody via Telephone

Attorneys Present

Attorneys Present

COURT CLERK: Jackie Garcia

COURT REPORTER: Not Reported

PROCEEDINGS

CASE MANAGEMENT CONFERENCE

ORDER AFTER HEARING

Hearing Held. The Court set the following schedule: Cross motions for summary judgment to be filed by
12/15/06; hearing on cross motions for summary judgment is set for February 16, 2007 @ 9:00 am.